

Importantly, broadband brings the world's reference materials to the fingertips of our students in classrooms in big urban cities and in rural communities alike.

Simply put, broadband is no longer a luxury; it is a real necessity. That's why so many of my colleagues advocated for broadband applicants in our congressional districts. From coast to coast, Mr. Speaker, our colleagues joined us in understanding the necessity of broadband deployment, and there were tremendous success stories.

In my home State of California, for example, the Digital 395 Broadband Project is deploying broadband in rural communities up and down the eastern edge of the State. We're seeing community colleges expand their learning centers to provide outreach, training, and learning support services to increase the digital literacy skills of low-income residents. They are learning the critical skills needed to be full participants in our digital economy.

Across the country, the large-scale public-private Internet2 project is working to connect 121,000 community anchor institutions to a dedicated national fiber backbone. Colleges, universities, libraries, major veterans and other health care facilities, as well as public safety entities, are all benefiting from this Recovery Act broadband project.

As I said earlier, we must make sure that taxpayer dollars are always spent wisely; and that's why, to counter waste, fraud and abuse, the Recovery Act built oversight directly into the structure of the law. The two agencies overseeing the broadband programs, the Department of Commerce and the Department of Agriculture, were provided \$16 million and \$22.5 million respectively to oversee audit programs, grants, and activities funded by the Recovery Act.

To further enhance oversight, the Pay It Back Act was passed as part of the Dodd-Frank Wall Street reform. It makes clear, in no uncertain terms, that all returned or deobligated funds must be promptly transferred back to the Treasury. In fact, the Energy and Commerce Committee heard testimony from Assistant Secretary Strickling and Administrator Adelstein that they were already promptly returning deobligated funds to the Treasury, and they saw no ambiguity in current law that would prevent them from continuing to return deobligated funds. Current law is clear: deobligated funds must be returned to the Treasury.

So while I do support the bill before us, I must be honest and say that I think it is a little redundant. Oversight was built into the Recovery Act, into the broadband programs, and was reaffirmed with Dodd-Frank. This bill simply reiterates what the NTIA and the RUS are already doing—vigorously overseeing broadband projects and returning all deobligated funds to the Treasury.

While this bill is not necessarily needed, I do not oppose it, and I en-

courage my colleagues to join me in supporting this bill.

I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I now yield such time as he may consume to the author of the legislation, a very valuable member of our Subcommittee on Communications and Technology, the gentleman from New Hampshire (Mr. BASS).

Mr. BASS of New Hampshire. I want to thank my friend and colleague from Oregon for yielding me time. I also want to thank my friend from California for supporting this legislation and for speaking in support of it.

Mr. Speaker, as the representative of a rural district, I understand the challenges of increasing access to broadband Internet service. We have many, many communities that suffer economically, as well as culturally, due to the lack of access to broadband; and any effort that's undertaken to improve that access is a good effort. At the same time, however, Congress must act to protect the taxpayer and provide oversight for the nearly \$7.2 billion in funds appropriated by the 2009 American Recovery and Reinvestment Act.

I would only note that a significant percentage of the obligated funds are being expended by recipients who have little or no experience in the business of designing and building broadband Internet and that that, in and of itself, justifies the passage of this legislation, which would provide much needed oversight for the broadband stimulus funds and would ensure that the law is definitive and would be quick to reclaim funds if there is reason to terminate an award for reasons of waste, fraud, or insufficient performance. As my friend from Oregon and my friend from California mentioned, it does not revoke any award that has already been granted.

The GAO and Inspectors General have testified that the size and complexity of the programs and the short turnaround time provided to the NTIA and RUS to award the money has created substantial risk in these programs. Thus far, nearly 30 awards for grants and loans worth about \$200 million have been returned to the Treasury. Many have returned the awards because they've recognized that they won't be successful. In those cases, we want to ensure that taxpayer exposure is minimized, and we want to prevent throwing good money after bad for projects that should be terminated for waste, fraud, or insufficient performance.

During committee hearings, the administrators testified that the decision to deobligate funds for awards that give rise to reason to terminate is discretionary, according to the Recovery Act language. I emphasize "discretionary." The Inspectors General said the stimulus bill does not make clear whether or when the NTIA and the RUS must deobligate funds for troubled projects. This legislation removes that ambiguity and makes clear that

such problem awards must be terminated and deobligated.

Moreover, the Inspectors General said current law does not ensure the NTIA and RUS will be responsive to their oversight recommendations. H.R. 1343 will provide important sunlight by requiring the administrators to act on recommendations made by the IG or to respond with their reasons for not acting.

While I wasn't in Congress for the Recovery Act's passage, now that the funds have been awarded, I think it's common sense that Congress should require an accounting of how these funds are being spent and what the American taxpayer is getting for these expenditures.

Mr. Speaker, I urge the Congress to pass this important piece of legislation.

Mrs. CAPPS. I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I now yield such time as he may consume to the gentleman from Florida (Mr. STEARNS), who chairs our very important Oversight Subcommittee and who has done extraordinary work in looking into some of these programs, not necessarily on the broadband side here, but certainly on the energy loan side, where there has been a problem.

Mr. STEARNS. First of all, let me say to my colleague from New Hampshire that you weren't here when it was passed. I am sure glad as heck that you're here today to provide this legislation and give respectful oversight to the taxpayers and help them out with trying to save money and being accountable. So it is a credit to you and your initiative to get this bill on the floor.

I also want to thank the chairman of the Telecommunications Subcommittee for his initiative in getting this on the floor. It's something that, I think, we've wanted to do for a while; and between the leadership of Mr. BASS and the leadership of Mr. WALDEN, we've got this today.

□ 1250

I obviously support this bill, this so-called stimulus package. We hear this all the time: We are going to have a stimulus package. It said to the National Telecommunications and Information Administration, which is NTIA. They said, You have the responsibility for overseeing almost \$5 billion of broadband technology opportunities, giving out this money. They tasked the Rural Utilities Service with overseeing about \$2.5 billion of broadband initiative. Altogether, that's a whole lot of money, and all the awards were made by September 30, 2010.

But my colleagues, the nationwide broadband map was not launched until February 17, 2011. Think of that. They gave out all this money, but they didn't even have the map in place until October, November, December, January, almost 5 months later. It seems to

me they shouldn't have done anything until they at least mapped this out so they knew the proper places to put this stimulus money.

Many of us in Congress, including the chairman, warned of the danger of spending the money before mapping was done and that allocating funds before maps of unserved areas were in place almost guaranteed that the money wouldn't be used effectively. Some cable and phone companies believe awards had been issued for projects that substantially duplicate—duplicate—their existing service areas. Remember, this is stimulus money.

Any time that much taxpayer money is given away so quickly and subject to political pressure, vigilant oversight is required.

H.R. 1343 clarifies the obligations of the agencies and keeps Congress informed to ensure taxpayers' interests are protected when problem awards are identified. Otherwise, as was the case, as the chairman mentioned with Solyndra, red flags are ignored, cash is rushed out the door, and Congress is told all along that everything is fine.

Today's bill clarifies the responsibility of the NTIA and the RUS going forward to terminate failed or failing grants and loans and to return to the U.S. Treasury any rescinded or relinquished funds. That's good.

This is a responsible and necessary bill, and I urge my colleagues to support it.

Mrs. CAPPS. Mr. Speaker, I encourage my colleagues to vote for H.R. 1343, and I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

I want to thank my colleague from Florida who has made some terrific comments regarding this legislation about the importance of oversight. I know my colleague from New Hampshire (Mr. BASS) has been very keenly involved in the oversight efforts as well.

Let me just say, as chair of the Communications and Technology Subcommittee, that we will be doing oversight on how this program is working. We hear some reports that there have been problems getting access to fiber because of the earthquake in Japan that may have slowed build out. We understand that some of the smaller companies may have run into all kinds of problems working their way through rights-of-way issues that have delayed the build out of getting this broadband build out into many of our communities, especially those who don't have broadband today.

So I think it's incumbent upon us, and I won't presume to speak for the minority, but I assume they would agree as well, we need to keep an eye on this just to see how is it working and what impediments are we running into, and are we going to see this broadband actually get built out as it was envisioned. The grants have been issued. The money is obligated, hasn't been spent.

So it looks to me like we have two tasks here. One is to make sure we get what we're paying for as the American taxpayer, and the money that isn't going to get spent comes back or, if there's any kind of fraud developed, all that money we can recover will come back and that there is a very surefire method, without question, that it comes back to the Treasury; and that, also, to take a look at what are the impediments to building out. I know we run into it where I am at, that we do have problems sometimes getting these permits, getting through the various regulations that really impede our opportunity.

I would encourage Members on both sides of the House to approve this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 1343, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CEMENT SECTOR REGULATORY RELIEF ACT OF 2011

Mr. WHITFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore (Mr. WALDEN). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 419 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2681.

□ 1300

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2681) to provide additional time for the Administrator of the Environmental Protection Agency to issue achievable standards for cement manufacturing facilities, and for other purposes, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Kentucky (Mr. WHITFIELD) and the gentleman from California (Mr. WAXMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. WHITFIELD. Mr. Chairman, I yield myself such time as I may consume.

There has been a lot of discussion in the 1-minute this morning about the importance of passing the Obama jobs bill. I would like to remind everyone today that the bailouts, the stimulus packages, all have exceeded \$2 trillion in the spending of taxpayer money. And despite the expenditure of all of that money, the unemployment rate in America is still well over 9 percent, even though it was suggested that with the spending of the stimulus money, unemployment would be brought down to less than 8 percent.

I would also remind everyone that within the last 3 days, the Department of Energy shoved out the door approximately \$5 billion in loan guarantees for so-called green energy projects without, in my view, the necessary time to clearly evaluate the loans that were being made. And we have proof of this because, in the Solyndra case, the taxpayers are going to have to expend \$538 million because that company went bankrupt. Now in the Obama jobs bill, they're asking for another approximately \$500 billion to be spent to create jobs.

Well, the reason that we're here today is that if you talk to any businesspeople today, large or small, they will tell you that the reason jobs are not being created in America is because of uncertainty, the uncertainty about health care regulations, not knowing what they're going to be. Already, 8,700 pages of new regulations have been written.

The uncertainty created by the new financial regulations that increase the capital requirements for loans to be made changes the appraisal process. That has created great uncertainty; but, most important, the uncertainty created by this aggressive Environmental Protection Agency. This administrator has been the most aggressive in issuing new regulations in the history of the EPA.

We all are committed to clean air that allows for healthful living in America, but we also want to use common sense, particularly at this time when our economy is struggling. And so when you issue new regulations that create additional obstacles for job creation, that is a major problem.

I noticed today, for example, in *The Hill* magazine: "Senate Democrats Buck Obama on Jobs Plan."

□ 1310

So they have the same concerns that we do.

So, today, we're bringing to the floor H.R. 2681, referred to as the Cement Sector Regulatory Relief Act, which basically says to EPA about their recently issued cement regulatory items, we want you to go back and revisit this bill because evidence shows that 20,000 jobs are at jeopardy and 18 percent of cement plants in America may very well be closed because of this regulation. So we're simply asking EPA in this legislation to go back, revisit this rule, issue a final rule within 15